

IN THE CLAIMS

Please amend the claims as follows:

Claim 1. (Currently Amended) A dry toner prepared by a method comprising:

(A) dissolving or dispersing a toner composition in an organic solvent to prepare a toner composition liquid; and

(B) dispersing the toner composition liquid in an aqueous liquid, wherein the aqueous liquid comprises:

a binder resin comprising a modified polyester (i); and

a colorant comprising a carbon black, wherein

the carbon black has a pH not greater than 7,

wherein the toner has a volume average particle diameter (D<sub>v</sub>) of from 3 to 7  $\mu\text{m}$  and a ratio (D<sub>v</sub>/D<sub>p</sub>) of the volume average particle diameter (D<sub>v</sub>) to a number average particle diameter (D<sub>p</sub>) of from 1.00 to 1.25, wherein the toner has a spindle shape.

Claim 2. (Original) The dry toner according to Claim 1, wherein the toner composition comprises a prepolymer and wherein the modified polyester (i) is formed by the prepolymer in either or both of steps (A) and (B).

Claim 3. (Original) The dry toner according to Claim 1, wherein the colorant is a master batch in which the carbon black is dispersed in a master batch resin.

Claim 4. (Original) The dry toner according to Claim 3, wherein the master batch resin is a polyester resin.

Claim 5. (Original) The dry toner according to Claim 1, wherein the binder resin further comprises an unmodified polyester (ii), wherein a weight ratio (i/ii) of the modified polyester (i) to the unmodified polyester (ii) is from 5/95 to 80/20.

Claim 6. (Original) The dry toner according to Claim 5, wherein the unmodified polyester (ii) has an acid value of from 1 to 15 mgKOH/g.

Claim 7. (Original) The dry toner according to Claim 5, wherein the unmodified polyester (ii) has a peak weight average molecular weight of from 1000 to 30000.

Claim 8. (Original) The dry toner according to Claim 5, wherein the unmodified polyester (ii) has a glass transition temperature (Tg) of from 35 to 55 °C.

Claim 9. (Cancelled)

Claim 10. (Currently Amended) The dry toner according to Claim 9 1, wherein the spindle shape has a ratio (r<sub>2</sub>/r<sub>1</sub>) of a minor axis particle diameter (r<sub>2</sub>) to a major axis particle diameter (r<sub>1</sub>) of from 0.5 to 0.8 and has a ratio (r<sub>3</sub>/r<sub>1</sub> r<sub>3</sub>/r<sub>2</sub>) of a thickness (r<sub>3</sub>) to the minor axis particle diameter (r<sub>2</sub>) of from 0.7 to 1.0.

Claim 11. (Currently Amended) A dry toner comprising toner particles comprising:  
a binder resin comprising a modified polyester resin; and  
a colorant comprising a carbon black, wherein the carbon black has a pH not greater than 7,

wherein the toner has a volume average particle diameter (D<sub>v</sub>) of from 3 to 7  $\mu\text{m}$  and a ratio (D<sub>v</sub>/D<sub>p</sub>) of the volume average particle diameter (D<sub>v</sub>) to a number average particle diameter (D<sub>p</sub>) of from 1.00 to 1.25, wherein the toner has a spindle shape.

Claim 12. (Currently Amended) A method for manufacturing a toner composition comprising toner particles according to Claim 11, comprising:

(A) dissolving or dispersing a composition, which comprises at least a modified polyester resin (i) capable of reacting with an active hydrogen, a colorant, and a compound having an active hydrogen, in an organic solvent to prepare an oil phase liquid;

(B) dispersing the oil phase liquid in an aqueous medium to prepare a dispersion;

(C) removing at least the organic solvent in the dispersion to prepare the spindle shaped toner particles;

(D) washing the spindle shaped toner particles; and

(E) drying the spindle shaped toner particles.

Claim 13. (Currently Amended) A two-component developer comprising the dry toner according to Claim 1 and a carrier.

Claims 14-15. (Cancelled)

Claim 16. (Original) A toner container having therein the dry toner according to Claim 1.

Claim 17. (Currently Amended) A process cartridge comprising:  
a photoreceptor;  
at least one charger configured to charge the photoreceptor;  
a developing device having therein the toner according to Claim 1, and configured to develop a latent electrostatic image on the photoreceptor with the said toner according to Claim 1; and  
a cleaning device configured to remove a residual toner on the photoreceptor.

Claim 18. (Original) An image forming method, comprising:  
developing a latent electrostatic image on an image carrier with the developer according to Claim 13 to form a toner image on the image carrier; and

transferring the toner image on a transfer medium, optionally via an intermediate transfer medium.

Claim 19. (Currently Amended) An image forming apparatus, comprising:  
an image carrier configured to carry a latent electrostatic image thereon; and  
a developing device having therein the developer according to Claim 13 and  
configured to develop the latent electrostatic image with the said developer ~~according to~~  
~~Claim 13~~ to form a toner image on the image carrier.